

City of Rialto

*Council Chambers
150 S. Palm Ave.
Rialto, CA 92376*



Regular Meeting **ACTION AGENDA**

Tuesday, December 8, 2015

5:00 PM

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the
Redevelopment Agency, RIALTO UTILITY AUTHORITY, RIALTO
HOUSING AUTHORITY**

City Council

*Mayor Deborah Robertson
Mayor Pro Tem Joe Baca Jr.
Council Member Edward Palmer
Council Member Shawn O'Connell
Council Member Ed Scott
Barbara A. McGee City Clerk
Edward Carrillo City Treasurer
Fred Galante City Attorney
Mike Story City Administrator*

Members of the public are afforded an opportunity to speak on any listed agenda item. Please notify the City Clerk if you wish to do so. All agendas are posted in the City Hall Administration Building (150 South Palm Avenue, Rialto) at least 72 hours in advance of the meeting. All writings that relate to an agenda item for an open session of a regular meeting of the City Council distributed to all, or a majority, of the Council Members also shall be made available, at the same time but not sooner than 72 hours before a regular meeting, for public inspection in the Office of the City Clerk located at 290 West Rialto Avenue, Rialto, California (909-820-2519) from 7:00 a.m. to 6:00 p.m., Mondays through Thursdays, and on the City's website at www.rialto.ca.gov Any person having a question concerning any agenda item may call the City Clerk's office to make inquiry concerning the nature of the item described on the agenda.

Based upon the open meeting laws (the Brown Act), additional items may be added to the agenda and acted upon by the City Council only if it is considered to be a "subsequent need" or "emergency" item and is added by a two-thirds vote. Matters raised under Oral Communications may not be acted upon at that meeting other than as provided above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Director of Public Works at (909) 421-7279. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CAR 35.102-35.104 ADA Title II).

Next Ordinance No.1565

Next Resolution No. 6867

Called to Order By:

ROLL CALL

Rialto – Entering a Second Century of Progress

- *Rialto will be a Family First Community*
- *Rialto Shall Attract High-Quality Development and Improve its Physical Environment*
- *Rialto's Economic Environment will be Healthy and Diverse*
- *Rialto will be an Active Community*

All items listed on this agenda are being considered and/or acted upon by the City Council on behalf of the City of Rialto, except for such items as are designated by the "RUA," "RHA," which items are being considered and/or acted upon by the Members of the Rialto Utility Authority or Rialto Housing Authority of the City of Rialto in its separate legal capacity. For convenience and ease of administration only, the agendas for each separate legal body have been consolidated herein

5:00 p.m.

CLOSED SESSION

- 1 [15-879](#) Conference with Legal Counsel - Existing Litigation: The City Council will discuss the following pending litigation(s) pursuant to Government Code Section 54956.9(d)(1):
- (a) City of Colton v. American Promotional Events, Inc, et al
CD Cal Case No. ED CV 09-01864 PSG(SSx) and consolidated cases
 - (b) Timothy Heinemeyer v. City of Rialto
WCAB CR-06-050046
 - (c) Andrew Lore v. City of Rialto
WCAB CR-09-0500033 & CR-13-005062
 - (d) James Massey v. City of Rialto
WCAB CR-14-005054 & CR-14-005058
- 2 [15-880](#) Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Government Code Section 54956.9. Number of cases: Two cases.

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Shawn O'Connell

INVOCATION-Pastor Bratton, Greater Faith Grace Bible Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [15-883](#) Resolution of Appreciation for Chief Tony Farrar
Mayor Deborah Robertson
- 2 [15-884](#) Resolution of Appreciation for Lt. Kathy Thompson
Council Member Ed Palmer
- 3 [15-881](#) Certificate of Appreciation to Angie Consolo-Friends of Rialto K9's
Council Member Shawn O'Connell

ORAL COMMUNICATIONS**City Council to consider removing or continuing any items on the agenda***NOTICE TO THE PUBLIC*

All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion in the following form listed. There will be no separate discussion on these items. If discussion is required, the item will be removed from the Consent Calendar and will be considered separately. Vote may be by roll call.

CONSENT CALENDAR**A. WAIVE FULL READING OF ORDINANCES (ACTION)**

1. Waive reading in full, all ordinances considered at this meeting.

B. APPROVAL OF WARRANT RESOLUTIONS

- B.1 [15-873](#) Resolution No. 21A (11/27/15)
- B.2 [15-872](#) Resolution No. 21 (12/04/15)

C. APPROVAL OF MINUTES

- C.1 [15-875](#) Regular City Council Meeting - November 24, 2015

D. SET PUBLIC HEARING

- D.1 [15-781](#) Request City Council to Set a Public Hearing for **January 12, 2016**, to Approve the Vacation of Approximately 3,400 square feet of Excess Right-of-Way located northerly of the Intersection of Laurel Avenue and Baseline Road.

E. MISCELLANEOUS

- E.1** [15-821](#) Request City Council to Adopt **Resolution No. 6858** Approving Parcel Map 19593, a Request to Subdivide a 0.84 Acre Parcel of Land into Two (2) Single Family Lots Located at 439 West Merrill Avenue.
- E.2** [15-825](#) Request City Council to Adopt **Resolution No. 6859** Accepting Public Improvements Associated with Parcel Map No. 19479 and Authorizing the Release of Securities Related Thereto.
- E.3** [15-832](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for October 2015.
- E.4** [15-841](#) Request City Council to Approve an Increase to the Purchase Order with Government Staffing Services (dba: MuniTemps) to Provide Additional Administrative Support Services in the Amount of \$15,000 for a Total Contract Amount of \$30,000.
- E.5** [15-853](#) Request City Council to Approve the Acceptance of 9-1-1 Equipment from the State of California; California 9-1-1 Emergency Communications Office and Approve Budget **Resolution No. 6860** to Amend the FY15/16 Budget for Reimbursable Equipment Purchases in the Amount of \$11,850.10.
- E.6** [15-854](#) Request City Council to Receive and File the Statement of Income and Expenses related to the Miro Way and Alder Avenue Escrow Accounts for October 2015.
- E.7** [15-855](#) Request City Council to Adopt **Resolution No. 6861** declaring support of the San Bernardino Regional Energy Partnership between the City of Rialto, Southern California Edison, Southern California Gas, and San Bernardino Associated Governments "San Bernardino Regional Energy Partnership".
- E.8** [15-857](#) Request City Council to Approve the Issuance of a Purchase Order to VT Electric, Inc. to Furnish and Install Seven (7) Bike Trail Lights on the Pacific Electric Inland Empire Trail, in the Total Amount of \$25,326 City Project No. 080803, Federal Aid Project No. RPSTPLE 5205 (019).
- E.9** [15-863](#) Request City Council to Approve the Purchase of an Electronic Procurement (eProcurement) Software System and a Budget **Resolution No. 6862** Increasing Account #010-500-2154-3030 in the amount of \$25,000.
- E.10** [15-867](#) Request City Council to Authorize the Release of Request for Proposals No. 16-043 for Engineering, Landscape Design and Project Management Services for the Frisbie Park Expansion and Cactus/Randall Park Development Projects.

Motion by Mayor Pro Tem Baca Jr., second by Council Member O'Connell and carried by 4-0 vote to approve the Consent Calendar as presented. Council Member Palmer was absent.

TAB PUBLIC HEARING

TAB1 [15-878](#) Request City Council to Continue Public Hearing to (1) introduce by first reading of **Ordinance No. 1564** entitled "AN ORDINANCE OF THE CITY OF RIALTO, CALIFORNIA, ADDING SECTION 18.72.170 REGARDING THE RECOVERY OF MUNICIPAL CODE ENFORCEMENT COSTS" reading by title only and waiving further reading thereof and (2) Approve **Resolution No. 6848** establishing Fees.
(ACTION)

Motion by Council Member Scott, second by Mayor Pro Tem Baca Jr. and carried by unanimous vote to continue the public hearing until January 26, 2016.

TAB NEW BUSINESS

TAB2 [15-851](#) Request Rialto Utility Authority to discuss and consider deferral of the programmed January 1, 2016, Waste Water and/or Water Rate Increase and Approve **RUA Resolution No. 005-15**, if necessary.
(ACTION)

Motion by Mayor Robertson, second by Council Member Palmer and carried by unanimous vote to approve Tab 2 as amended to implement Option 1.

TAB3 [15-856](#) Request City Council to Adopt Budget **Resolution No. 6863**, **RHA Resolution No. 08-15**, **RSA Resolution No. SA-19**, and **RUA Resolution No. 006-15** to Amend the FY2015-16 Budget for the FY2014-15 Carry Forward Budget for the City, Successor Agency and the Rialto Utility Authority.
(ACTION)

Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to approve Tab 3.

TAB4 [15-834](#) Request City Council to Adopt **Resolution No. 6864** and the City Council, acting as the Governing Board to the Successor Agency to the Redevelopment Agency of the City of Rialto, to Adopt **Resolution No. SA20-15** to approve a Revised Payment Schedule for an existing \$5,000,000 loan between the Successor Agency to the Redevelopment Agency of the City of Rialto and the City of Rialto related to the Cactus Channel Improvement Project, pursuant to Health and Safety Code Section 34191.4(b).
(ACTION)

Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to approve Tab 4.

TAB5 [15-860](#) Request City Council, acting for the Successor Agency to the Redevelopment Agency of the City of Rialto to (1) Adopt **Resolution No. SA21-15**; and (2) the Rialto Housing Authority to Adopt **Resolution No. 09-15** approving the Housing Bond Proceeds Expenditure Agreement between the Successor Agency and the Rialto Housing Authority for \$536,778.
(ACTION)

Motion by Council Member Palmer, second by Mayor Pro Tem Baca Jr., and carried by unanimous vote to approve Tab 5.

TAB6 [15-862](#) Request City Council to Adopt **Resolution No. 6865** Approving a Location Agreement by and between the City of Rialto and Medline Industries, Inc.
(ACTION)

Motion by Council Member Scott, second by Mayor Pro Tem Baca Jr. and carried by unanimous vote to approve Tab 6.

TAB7 [15-852](#) Request City Council Approval of Revised Cooperative Agreement No. 15-1001131 with the San Bernardino County Transportation Commission Related to the Rialto Metrolink Station Accessibility Improvement Project.
(ACTION)

Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to approve Tab 7.

TAB8 [15-858](#) Request City Council to Adopt **Resolution No. 6866** Declaring the "Stage 3-B Water Warning" of the Water Conservation Ordinance Pursuant to Chapter 12.20 of Title 12 of the Rialto Municipal Code.
(ACTION)

Motion by Council Member Palmer, second by Council Member Scott and carried by unanimous vote to approve Tab 8.

TAB9 [15-859](#) Request City Council to Reject All Bids Received for RFB No. 16-011 for the Rialto Police Department Training Room, City Project No. 140210.
(ACTION)

Motion by Council Member Palmer, second by Council Member Scott and carried by unanimous vote to approve Tab 9.

TAB10 [15-861](#) Request City Council to Approve a Third Amendment to the Professional Services Agreement with Siemens Industry, Inc., to a Month-to-Month Extension to June 30, 2016, for Traffic Signal Maintenance Services and to Install a Rectangular Rapid Flashing Beacon System at Myers Elementary for a Total Increase Amount of \$197,956.

(ACTION)

Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to approve Tab 10.

TAB11 [15-829](#) Request the City Council/Rialto Utility Authority Approve a Final Construction Work Authorization for \$657,119 to Rialto Water Services for the Water Facility Improvement Project W4 - Booster 4 & 5 Improvements; Delegate authority to the City Administrator or his designee to approve and execute construction contract change orders up to a cumulative amount of \$53,762.00.

(ACTION)

Motion by Mayor Pro Tem Baca Jr., second by Council Member Scott and carried by unanimous vote to approve Tab 11.

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT